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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,414	03/25/2004	Norihisa Miyoshi	2004_0469A	5261

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EXAMINER

RINEHART, KENNETH

ART UNIT PAPER NUMBER

3749

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/808,414	Applicant(s) MIYOSHI ET AL.	
	Examiner Kenneth B Rinehart	Art Unit 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
 4a) Of the above claim(s) 7-36 is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-6 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/25/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Oshita et al (5138982). Oshita et al shows An incombustible withdrawing system for withdrawing an incombustible from a fluidized-bed furnace having a fluidized bed formed therein by a fluidized medium (16, fig. 1), said incombustible withdrawing system comprising, a mixture delivery path to deliver a mixture of the fluidized medium and the incombustible from a bottom of the fluidized-bed furnace (4, fig. 1), a fluidized-bed separating chamber disposed downstream of said mixture delivery path to fluidize the mixture by a fluidizing gas (8, fig. 1) and to separate the mixture into a first separated mixture having a high concentration of the fluidized medium (20, fig. 1) and a second separated mixture having a high concentration of the incombustible (mixture from right of 19, fig. 1); a return passage to return the first separated mixture to the fluidized-bed furnace (20, fig. 1); and an incombustible discharge passage to discharge the second separated mixture to an exterior of the fluidized-bed furnace (to right of 19, fig. 1), wherein said incombustible discharge passage is disposed downstream of said fluidized-bed separating chamber (fig. 1).

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Klaschka (4535706). Klaschka shows An incombustible withdrawing system for withdrawing an

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incombustible from a fluidized-bed furnace having a fluidized bed formed therein by a fluidized medium (17, fig. 1), said incombustible withdrawing system comprising, a mixture delivery path to deliver a mixture of the fluidized medium and the incombustible from a bottom of the fluidized-bed furnace (21, fig. 1), a fluidized-bed separating chamber disposed downstream of said mixture delivery path to fluidize the mixture by a fluidizing gas (22, fig. 1) and to separate the mixture into a first separated mixture having a high concentration of the fluidized medium (above 43, fig. 1) and a second separated mixture having a high concentration of the incombustible (43, fig. 1); a return passage to return the first separated mixture to the fluidized-bed furnace (above 43, fig. 1); and an incombustible discharge passage to discharge the second separated mixture to an exterior of the fluidized-bed furnace (43, fig. 1), wherein said incombustible discharge passage is disposed downstream of said fluidized-bed separating chamber (43, fig. 1), said incombustible discharge passage delivers the second separated mixture vertically upward and discharges the second separated mixture from a position located higher than a surface of the fluidized bed to the exterior of the fluidized-bed furnace (40, 43, fig. 1), , further comprising a fluidized medium delivering device to deliver the second separated mixture in a vertical direction in said incombustible discharge passage (41, fig. 1), a fluidized medium delivering device to deliver the second separated mixture in said incombustible discharge passage with at least an angle of repose of the fluidized medium with respect to a horizontal plane (fig. 1.).

Claim Rejections - 35 USC § 102

Claims 1, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Abdullay (5510085). Abdullay shows An incombustible withdrawing system for withdrawing an

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incombustible from a fluidized-bed furnace having a fluidized bed formed therein by a fluidized medium (36, fig. 2), said incombustible withdrawing system comprising, a mixture delivery path to deliver a mixture of the fluidized medium and the incombustible from a bottom of the fluidized-bed furnace (78, fig. 2), a fluidized-bed separating chamber disposed downstream of said mixture delivery path to fluidize the mixture by a fluidizing gas (74, fig. 2) and to separate the mixture into a first separated mixture having a high concentration of the fluidized medium (82, fig. 2) and a second separated mixture having a high concentration of the incombustible (70, fig. 2); a return passage to return the first separated mixture to the fluidized-bed furnace (82, fig. 2); and an incombustible discharge passage to discharge the second separated mixture to an exterior of the fluidized-bed furnace (72, fig. 2), said fluidized-bed separating chamber comprises a passage portion connected to said incombustible discharge passage, wherein said passage portion has cross-sectional areas gradually increased toward said incombustible discharge passage, and a bottom surface inclined downward to said incombustible discharge passage (right of plenum 62B, fig.2).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to beds in general: Garci Mallol (5570645), Morin et al (5996512).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B Rinehart whose telephone number is 571-272-4881. The examiner can normally be reached on 7:20 -4:20.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on 571-272-4881. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KENNETH RINEHART
PRIMARY EXAMINER